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By: 

Aaron Hokamura

PATENT
Attorney Docket No.: 082368-002100US
Client Reference No.: K4-A0201P-US

Rec'd PCT/PTO 29 SEP 2005

10/520333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kenji MOTOKAWA et al.

Application No.: 10/520,333

Int'l Application No.: PCT/JP03/08524

Int'l Filing Date: July 4, 2003

For: FELINE INFECTIOUS
PERITONITIS VACCINE

Examiner:

Art Unit:

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references AD through AO are enclosed. U.S. Patents, AA through AC, are not enclosed in accordance with the USPTO waiver of the requirement under 37 CFR 1.98 (a)(2)(i) pursuant to 1287 OG 163. Copies of references AP through AR are not enclosed since they were cited in an International Search Report in a corresponding application, and, as such, should have been provided directly by the WIPO under the exchange program between the USPTO, the EPO and the JPO.

References AC through AK and AM were also cited in the International Search Report. A copy of this Search Report is also enclosed.

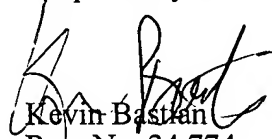
Reference AM is not in the English Language. Reference AM (JP 2000-302692) is categorized as an "A" document on the enclosed International Search Report. An English language translation of the abstract is also enclosed for the Examiner's convenience.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Kevin Bastian
Reg. No. 34,774

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/520,333	
			Filing Date		
			First Named Inventor	Motokawa, Kenji	
			Art Unit		
Examiner Name					
Sheet	1	of	2	Attorney Docket Number	082368-002100US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	5,780,266	06-14-1998	Dale <i>et al.</i>	
	AB	5,811,104	09-22-1998	Dale <i>et al.</i>	
	AC	6,241,989 B1	06-05-2001	Scott <i>et al.</i>	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AD	WO	95/08575	A1	03-30-1995	Cornell Research Foundation, Inc.		<input type="checkbox"/>
	AE	WO	97/20054	A1	06-05-1997	Virogenetics Corporation		<input type="checkbox"/>
	AF	WO	02/072763	A2	09-19-2002	Human Genome Sciences, Inc.		<input type="checkbox"/>
	AG	WO	02/092827	A2	11-21-2002	Universiteit Utrecht; Stichting Voor de Technische Wetenschappen		<input type="checkbox"/>
	AH	EP	0 376 744	A1	07-04-1990	California Biotechnology, Inc.; American Home Products Corporation		<input type="checkbox"/>
	AI	EP	0 411 684	A2	02-06-1991	Duphar International Research B.V.		<input type="checkbox"/>
	AJ	EP	0 652 287	A2	05-10-1995	American Home Products Corporation		<input type="checkbox"/>
	AK	JP	07-327683		12-19-1995	The Kitasato Institute		<input checked="" type="checkbox"/>
	AL	JP	2903129 (with English abstract)		03-26-1999	California Biotechnology, Inc.; American Home Products Corporation		<input type="checkbox"/>
	AM	JP	2000-302692 (with English abstract)		10-31-2000	Kyoritsu Shoji Co., Ltd.		<input type="checkbox"/>

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/520,333
				Filing Date	
				First Named Inventor	Motokawa, Kenji
				Art Unit	
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	082368-002100US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	AN	HOHDATSU, T. <i>et al.</i> ; "Antigenic analysis of feline coronaviruses with monoclonal antibodies (MAbs): Preparation of MAbs which discriminate between FIPV strain 79-1146 and FECV strain 79-1683"; <u>Veterinary Microbiology</u> ; 1991; pp. 13-24; Vol. 28		
	AO	HOHDATSU, T. <i>et al.</i> ; "Characterization of monoclonal antibodies against feline infectious peritonitis virus type II and antigenic relationship between feline, porcine, and canine coronaviruses"; <u>Arch. Virol.</u> ; 1991; pp. 85-95; Vol. 117.		
	AP *	MOTOKAWA, K. <i>et al.</i> ; "Comparison of the amino acid sequence and phylogenetic analysis of the peplomer, integral membrane and nucleocapsid proteins of feline, canine and porcine coronaviruses"; <u>Microbiol. Immunol.</u> ; 1996; pp. 425-433; Vol. 40, No. 6.		
	AQ *	VENNEMA, H. <i>et al.</i> ; "Primary structure of the membrane and nucleocapsid protein genes of feline infectious peritonitis virus and immunogenicity of recombinant vaccinia viruses in kittens"; <u>Virology</u> ; March 1991; pp. 327-335; Vol. 181, No. 1		
	AR *	WASMOEN, T. L. <i>et al.</i> ; "Protection of cats from infectious peritonitis by vaccination with a recombinant raccoon poxvirus expressing the nucleocapsid gene of feline infectious peritonitis virus"; <u>Adv. Exp. Med. Biol.</u> ; 1995; pp. 221-228; Vol. 380		

* Did not receive NPL documents fr: AP, AQ, AR.

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.